

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

EDWARD RANDOLPH,

Plaintiff,

-v-

9:19-CV-1161

LISA KALIES *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

Edward Randolph
Plaintiff, Pro Se
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New York State Attorney General
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DAVID C. WHITE, ESQ.
Ass't Attorney General

DAVID N. HURD
United States District Judge

DECISION and ORDER

Pro se plaintiff Edward Randolph ("plaintiff") filed this action alleging that defendants violated his civil rights at Auburn Correctional Facility. On January 19, 2021, U.S. Magistrate Judge Therese Wiley Dancks advised by Report & Recommendation that defendants' motion to dismiss be denied. Dkt. No. 55. Neither party has filed objections. Upon review for clear

error, the Report & Recommendation is accepted and adopted in all respects. See FED. R. Civ. P. 72(b).

Therefore, it is

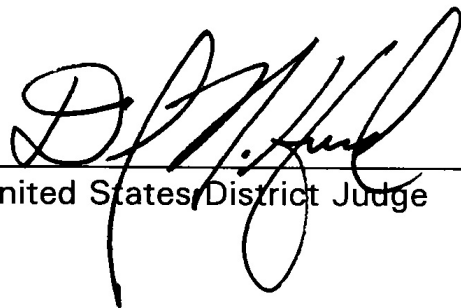
ORDERED that

1. Defendants' motion to dismiss is DENIED.

The Clerk of the Court is directed to serve a copy of this Decision and Order upon plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: February 4, 2021
Utica, New York.


United States District Judge